

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**RFA No. 3659 of 1998
Decided on : 07-08-2008**

Uday Ram Bhatt

....Appellant(s)

VERSUS

State of Haryana

....Respondent (s)

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Adarsh Jain, Advocate for the appellant.

Mr. H.S.Hooda, Advocate General, Haryana with
Mr. Rajiv Kawatra, Sr. DAG, Haryana.

RAKESH KUMAR JAIN, J

This order shall dispose of 14 cases i.e. 3201, 3659, 3999, 4000, 4194, 4195, 4233, 4234, 4484, 4495, 4496, 4497, 4498 and 4499 of 1998.

Notification under Section 4 of the Land Acquisition Act, 1894 (for short 'the Act') was issued on 7.9.1992 for acquisition of 486.61 acres of land situated in village Mewla Maharajpur, District Faridabad for the public purpose namely i.e. for utilization of land as residential, commercial and institutional sector 44 and 47, Faridabad within Faridabad Ballabgarh controlled area under Haryana Urban Development Authority Act, 1977. The Collector vide his award dated 8.2.95 assessed the compensation at the rate of Rs. 1,96,000/- per acre which was further enhanced by the learned Additional District Judge, Faridabad to the tune of Rs.325/- per square yard. Mr. Adarsh Jain, Advocate has submitted that RFAs against the award of District Judge were filed by both the claimants and the State whereas the appeals filed by the claimants were dismissed and those of the State were allowed and compensation was reduced to Rs. 90/- per square yard. Thereafter, the matter went up to the Hon'ble Supreme Court by way of Civil

Appeal No. 9808 of 2003 titled as 'Vinod Bansal versus State of Haryana and another' vide which many civil appeals arising out of the order of this Court were consolidated and decided on 27.10.2004. Hon'ble Apex Court set aside the order of this Court and remanded the matter back to the Reference Court for fresh decision.

Counsel for the parties are ad idem that the controversy in the present appeals is fully covered by the decision of the Hon'ble Apex Court in Civil Appeal No. 9808 of 2003 titled as 'Vinod Bansal versus State of Haryana and another' .

In view of the above, orders passed in favour of the appellants is set aside and the matter is remanded back to the Reference Court to decide the same in terms of the order passed in Civil Appeal No. 9808 of 2003 titled as 'Vinod Bansal versus State of Haryana and another' decided on 27.10.2004 by Hon'ble Apex Court.

August 7, 2008
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(Rakesh Kumar Jain)
Judge